



11-20-00

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JL

Express Mail No.: EL 451 595 485 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Nicholls

Application No.: 09/644,937

Group Art Unit: 1645

Filed: August 23, 2000

Examiner: Not yet assigned

For: METHOD AND APPARATUS FOR  
EVALUATING MOLECULAR  
SIMILARITY

Attorney Docket No.: 9476-003-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of NonProvisional Application Under 37 C.F.R. §1.53(b), mailed October 5, 2000, in connection with the above-identified application, Applicants submit the following documents:

- 1) A Declaration and Power of Attorney signed by the inventors in compliance with 37 CFR 1.63;
- 2) Verified Statement Claiming Small Entity Status; and
- 3) Return copy of Notice to file Missing Parts of Application - Filing Date Granted;

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to Pennie & Edmonds LLP Deposit Account No. 16-1150:

- 1) Surcharge Fee for filing declaration \$ 65.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date November 16, 2000

  
Francis E. Morris

24,615

(Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosures

*H3*

# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/644,937         | 08/23/2000          | Anthony Nicholls      | 9476-003-999           |

20583  
PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

## FORMALITIES LETTER



\*OC00000005454806\*

Date Mailed: 10/05/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

**FILED UNDER 37 CFR 1.53(b)**

### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
  
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

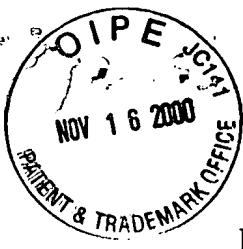
*RG*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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11-20-00

#4/Request for  
Refund 307  
Accepted  
5.3.01  
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EXPRESS MAIL NO.: EM 451 595 485 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: ANTHONY NICHOLLS

Serial No.: 09/644,937

Group Art Unit: 1645

Filed: August 23, 2000

Examiner: Not yet assigned

For: METHOD AND APPARATUS FOR  
EVALUATING MOLECULAR  
SIMILARITY

Attorney Docket No.: 9476-003-999

RECEIVED  
APR 23 2001  
TECHNOLOGY CENTER 2800REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.28(a)Assistant Commissioner for Patents  
Washington, D.C. 20231Attention: Refund Section, Accounting Division,  
Office of Refund

Sir:

A fee in excess of the required fee was paid in connection with the above identified patent application. In particular, a filing fee of \$690.00 was paid on August 23, 2000. The assignee, OPENEYE SCIENTIFIC SOFTWARE, INC., qualifies as a small entity under 37 C.F.R. 1.9 (f) and 1.27(c); a Verified Statement Claiming Small Entity Status in the above-identified case is being filed with the Notice to File Missing Parts of Application. Therefore, the filing fee should have been \$345.00.

Accordingly, please refund 50% of the filing fee by crediting \$345.00 to Deposit Account No. 16-1150. A duplicate of this sheet is enclosed.

Respectfully submitted,

24,615

Francis E. Morris (Reg. No.)

PENNIE &amp; EDMONDS LLP

1155 Avenue of the Americas

New York, New York 10036-2711

(212) 790-9090

Date: November 16, 2000OFFICE OF FINANCIAL  
REFUND DEPARTMENT  
US PATENT & TRADEMARK OFFICE